IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.2647 OF 2007.

The State of Maharashtra. ... Appellant.
Versus.
Chandra Narayan Koli
(deceased through his LRs)
Tukaram Chander Koli. ... Respondent.

Shri Y.M.Nakhawa, A.G.P. for the Appellant.

CORAM : ABHAY S.OKA, J.
DATED : 22nd November, 2007.

P.C.:

1. Heard the learned A.G.P. for the Appellant-State. The challenge in this Appeal is to the Award granting enhanced compensation under section 18 of the Land Acquisition Act, 1894. The Respondents herein are the original Claimants. Office noting shows that the Appeal has been dismissed as against Respondents nos.1/2 to 1/9 and Respondents nos.2/2 to 2/6. The Appeal stands abated as against Respondents Nos.2/1, 2/9 and 3/1.

2. Thus the impugned award has become final in so far as the aforesaid Respondents are concerned. Even if the Appeal is to be allowed, an award will have to be passed which will be inconsistent with the award which has attained finality in favour of the aforesaid Respondents. Only on this ground, the Appeal will have to be dismissed and the same is accordingly dismissed.

Judge.